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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/662,964	09/12/2003	Vijay V. Sarashetti	14249-009001	1087
22879 7590 12/13/2007 HEWLETT PACKARD COMPANY P O BOX 272400, 3404 E. HARMONY ROAD INTELLECTUAL PROPERTY ADMINISTRATION FORT COLLINS, CO 80527-2400			EXAMINER VO, TRUONG V	
			ART UNIT 2169	PAPER NUMBER
			NOTIFICATION DATE 12/13/2007	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	Application No. 10/662,964	Applicant(s) SARASHETTI, VIJAY V.	
	Examiner Truong V. Vo	Art Unit 2169	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 October 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This action is in response to communications filed October 25, 2007.
2. Applicant's arguments with respect to claims 1-26 have been considered but are moot in view of the new ground(s) of rejection.

### ***Status of Claims***

3. Claims 1 to 26 are pending, of which claims 1, 9, 17, 21 and 24 are in independent form. Claims 9-16 are rejected under 35 U.S.C. 101. Claims 1-26 are rejected under 35 U.S.C. 103(a).

### ***Claim Rejections - 35 USC § 101***

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claims 9-16 are rejected under 35 U.S.C. 101 because the claimed invention is not statutory for the following reasons:

Computer program product (defined in the original disclosure as including transmission (i.e., an information carrier), etc.):

The claims fail to place the invention squarely within one statutory class of invention. On page 3 [0039] of the amended specification, applicant has provided evidence that applicant intends the "medium" to include signals. As such, the claim is drawn to a form of energy. Energy is not one of the four categories of invention and

therefor this claim(s) is/are non statutory. Energy is not a series of steps or acts and thus is not a process. Energy is not a physical article or object and as such is not a machine or manufacture. Energy is not a combination of substances and therefor not a composition of matter.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boone et al. (US 2002/0046131 A1) in view of Mankoff (US 2002/0120627 A1).

8. **In considering claim 1**, Boone teaches a method for representing records (Items Table 62) (i.e., clearly shown in FIG. 3C a table that representing a record; [0060]).

Boone teaches assigning a unique identifier (site\_id) to a record (Items Table) (i.e., one of the fields in the table is a site\_id field, which stores a unique numeric identifier that is assigned to each of multiple regional or community sites; see FIG. 3c and [0060]).

Boone teaches entering the unique identifier in a hierarchical tree structure (i.e., a unique id is enter in a tree data structure (e.g., a tree hierarchy); see FIG. 3C and [0060]).

Boone teaches sending the hierarchical tree structure to a central storage site (i.e., sending the tree data structure (e.g., a tree hierarchy) to database 22 (e.g., central storage); see FIG. 1, FIG. 2 and [0048]).

However, Boone does not explicitly disclose a record to store at the record collection site.

Meanwhile, Mankoff teaches the attribute file information, a network-connected computer can categorize and store virtual documents in a database corresponding to a particular user of the system (see abstract). This is similar to Boone teaching because of that executes on a client machine 32 (e.g., a personal computer, PDA, cell phone or the like) and accesses the facility 10 via a network 34 such as, for example, the Internet [0047]. Furthermore, Mankoff teaches a record to store at the record collection site (i.e., assign a unique number to each warranty or product instruction document and then as with the unique coupon or promotional ID 43 (see FIG. 4), it would only be necessary to transmit that information to the host 20 to identify the full VRCD. Alternatively, all relevant details for identifying the product warranty or information sheet could be transmitted to the host 20 from the partner web site. One detail that would preferably be included would be a web site where the actual text of the document is stored; alternatively, the actual text of the document could be stored in the user database 23; [0067]).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made, having the teachings of Boone and Mankoff before him/her, to modify the method of Boone with the teaching of Mankoff to have the client machine store the record. The motivation to combine is apparent in Boone reference, because it provides performance advantages for browsing and searching operations (see Boone, [0066]). This is a tremendously advantageous to Boone because it organizes and integrates the computer record (see Mankoff, [0006]).

9. **In considering claim 2**, Boone teaches using the unique identifier (site\_id) to produce an aggregate report (150) (i.e., using the site\_id to produce site categories cache 150 which is a report of all sites; see FIG. 4 [0061]).

Boone teaches sending the aggregate report (150) to the central storage site (i.e., sending the site categories cache 150 to database 23; see FIG. 4 and [0061]).

However, Boone does not explicitly disclose a record to store at the record collection site.

Mankoff teaches a record to store at the record collection site (i.e., assign a unique number to each warranty or product instruction document and then as with the unique coupon or promotional ID 43 (see FIG. 4), it would only be necessary to transmit that information to the host 20 to identify the full VRCD. Alternatively, all relevant details for identifying the product warranty or information sheet could be transmitted to the host 20 from the partner web site. One detail that would preferably be included would be a

web site where the actual text of the document is stored; alternatively, the actual text of the document could be stored in the user database 23; [0067]).

The limitations of claim 2 are rejected in the analysis of claim 1 above, and the claim is rejected on that basis.

10. **In considering claim 3**, Boone teaches using the unique identifier (site\_id) at the central storage site (22) to access the record stored (i.e., the user using a unique identifier at the database 22 and access the record stored; see FIG. 1 and [0047]) .

11. **In considering claim 4**, Boone teaches the unique identifier (site\_id) includes information representing a node located in the hierarchical tree structure (i.e., site\_id includes name, description, currency etc. representing an item table located in the tree hierarchy; see FIG. 3C and [0060]).

12. **In considering claim 5**, Boone teaches the node (item table) is located in a higher position of the hierarchical tree structure than the unique identifier (site\_id) (i.e., as clearly shown in FIG. 3C the item table is located in a higher position of the tree hierarchy than the site\_id; FIG. 3C).

13. **In considering claim 6**, Boone teaches using the unique identifier (site\_id) to produce the aggregate report (150) includes counting the unique identifier (site\_id) with

a second unique identifier (site\_id) assigned to a second record stored (site 2) (i.e., see FIG. 4).

However, Boone does not explicitly disclose a record to store at the record collection site.

Mankoff teaches a record to store at the record collection site (i.e., assign a unique number to each warranty or product instruction document and then as with the unique coupon or promotional ID 43 (see FIG. 4), it would only be necessary to transmit that information to the host 20 to identify the full VRCD. Alternatively, all relevant details for identifying the product warranty or information sheet could be transmitted to the host 20 from the partner web site. One detail that would preferably be included would be a web site where the actual text of the document is stored; alternatively, the actual text of the document could be stored in the user database 23; [0067]).

The limitations of claim 6 are rejected in the analysis of claim 2 above, and the claim is rejected on that basis.

14. **In considering claim 7**, Boone teaches the unique identifier (site\_id) to produce an aggregate report (150) includes summing data included in the record accessed by the unique identifier (site\_id) with data included in a second record accessed by a second unique identifier (site 2) (i.e., depending on the frequency with which records are added to the items table 42; see FIG. 4, [0064].

15. **In considering claim 8**, Boone teaches a unique key that includes information representing a second node in the hierarchical tree structure is assigned to the node (i.e., Category\_id field stores a numeric identifier for a category that keys the relevant record to a category record within the master categories table 60. Name and description fields store a regional or community name of the category and description of the category. Parent\_id and parent\_name fields are used in placing a particular category in a tree data structure (e.g., a tree hierarchy) when displayed to the user of the auction facility 10; [0060]).

16. **In considering claim 9**, are essentially the same as claim 1 except that it sets forth the claimed invention as a computer program product rather than a method and rejected for the same reasons as applied hereinabove.

17. **In considering claim 10**, are essentially the same as claim 2 except that it sets forth the claimed invention as a computer program product rather than a method and rejected for the same reasons as applied hereinabove.

18. **In considering claim 11**, are essentially the same as claim 3 except that it sets forth the claimed invention as a computer program product rather than a method and rejected for the same reasons as applied hereinabove.

19. **In considering claim 12**, are essentially the same as claim 4 except that it sets forth the claimed invention as a computer program product rather than a method and rejected for the same reasons as applied hereinabove.

20. **In considering claim 13**, are essentially the same as claim 5 except that it sets forth the claimed invention as a computer program product rather than a method and rejected for the same reasons as applied hereinabove.

21. **In considering claim 14**, are essentially the same as claim 6 except that it sets forth the claimed invention as a computer program product rather than a method and rejected for the same reasons as applied hereinabove.

22. **In considering claim 15**, are essentially the same as claim 7 except that it sets forth the claimed invention as a computer program product rather than a method and rejected for the same reasons as applied hereinabove.

23. **In considering claim 16**, are essentially the same as claim 8 except that it sets forth the claimed invention as a computer program product rather than a method and rejected for the same reasons as applied hereinabove.

24. **In considering claim 17**, are essentially the same as claim 1 except that it sets forth the claimed invention as a receiving method rather than a sending method and rejected for the same reasons as applied hereinabove.

25. **In considering claim 18**, are essentially the same as claim 3 except that it sets forth the claimed invention as a receiving method rather than a sending method and rejected for the same reasons as applied hereinabove.

26. **In considering claim 19**, are essentially the same as claims 2 and 3 except that it sets forth the claimed invention as a receiving method rather than a sending method and rejected for the same reasons as applied hereinabove.

27. **In considering claim 20**, are essentially the same as claim 4 except that it sets forth the claimed invention as a receiving method rather than a sending method and rejected for the same reasons as applied hereinabove.

28. **In considering claim 21**, are essentially the same as claim 1 except that it sets forth the claimed invention as a using method rather than a sending method and rejected for the same reasons as applied hereinabove.

29. **In considering claim 22**, are essentially the same as claim 2 except that it sets forth the claimed invention as a using method rather than a sending method and rejected for the same reasons as applied hereinabove.

30. **In considering claim 23**, are essentially the same as claim 4 except that it sets forth the claimed invention as a using method rather than a sending method and rejected for the same reasons as applied hereinabove.

31. **In considering claim 24**, are essentially the same as claim 1 except that it sets forth the claimed invention as a system rather than a method and rejected for the same reasons as applied hereinabove.

32. **In considering claim 25**, are essentially the same as claim 2 except that it sets forth the claimed invention as a system rather than a method and rejected for the same reasons as applied hereinabove.

33. **In considering claim 26**, are essentially the same as claim 3 except that it sets forth the claimed invention as a system rather than a method and rejected for the same reasons as applied hereinabove.

### ***Conclusion***

34. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


35. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Truong V. Vo whose telephone number is (571) 272-1796. The examiner can normally be reached on Mon.-Thr. 7:30a.m.-5p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Pierre Vital can be reached on (571) 272-4215. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Truong Van Vo  
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